

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

JERRY D. POUGH,

Petitioner,

v.

WILLIAM GITTERE, *et al.*,

Respondents.

Case No. 3:23-cv-00425-MMD-CLB

ORDER

On August 28, 2023, *pro se* Petitioner Jerry D. Pough filed a complaint for declaratory and injunctive relief, motion for leave to proceed *in forma pauperis* ("IFP"), motion to extend prison copy work limit, motion for court records and transcripts, motion to transport, and motion in support of an expedited preliminary injunction. (ECF Nos. 1-1, 1-3, 1-4, 1-5, 1-6.) On August 31, 2023, the Court instructed Pough to (1) either pay the \$5 filing fee or submit his missing IFP application documents and (2) file an amended petition on the Court's form. (ECF No. 3.) On October 4, 2023, Pough filed a motion for a free electronic copy of all documents, motion for expedited pretrial conference, and an amended IFP application. (ECF Nos. 4, 5, 6.) The Court grants Pough's amended IFP application. However, Pough has not filed an amended petition as instructed, and his deadline for doing so expired on October 20, 2023. (ECF No. 3.) Because Pough has attempted to comply with the Court's August 31, 2023 order by filing an amended IFP application, the Court grants Pough one more chance to file an amended petition.

It is therefore ordered that Pough's original IFP application (ECF No. 1) is denied as complete.

It is further ordered that Pough's amended IFP application (ECF No. 6) is granted.

It is further ordered that Pough must file an amended petition on the Court's form on or before November 30, 2023, by labeling it "Amended Petition" and placing the case

1 number, 3:23-cv-00425-MMD-CLB, in the designated space.

2 It is further ordered that Pough's failure to timely comply with this Order will result
3 in the dismissal of this action without prejudice and without further advance notice.

4 The Clerk of Court is directed to again send Petitioner one blank copy of the form
5 petition for a writ of habeas corpus under 28 U.S.C. § 2254 along with instructions.

6 DATED THIS 31st Day of October 2023

7 

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9 MIRANDA M. DU
CHIEF UNITED STATES DISTRICT JUDGE